

BRENTWOOD BOARD OF SELECTMEN
MINUTES OF 3/9/2010 MEETING

Convened: 6:30 p.m.

Present: Jeffrey Bryan
Andrew Artimovich
Jane Byrne
David Menter

The Board met and reviewed payroll, accounts payable, and signed the register. The Board reviewed and signed the recreation register.

Jonathan Ellis was in to present the weekly Treasurer's report.

The Selectmen reviewed the minutes of the 3/2/10 meeting. Artimovich moved the minutes for discussion. Menter said he thought a motion was made about contacting all Board members when a decision/opinion was needed outside of a meeting. Byrne made a motion to amend the minutes by adding that she made a motion, seconded by Menter, and all voted in favor to the second to last paragraph. Menter seconded the motion for the amendment; all voted in favor. Byrne seconded the motion to approve the minutes as amended; all voted in favor.

The Board reviewed the notes:

- The Selectmen will meet with Emergency Management on Tuesday 3/16 at 5:30 p.m. to discuss the events of the recent wind/rain storm.
- A voicemail message was received from Mr. Boddy expressing a lot of frustration and anger with the Town for continuing to do nothing about Mr. Knowles zoning violations. Bryan made a motion, seconded by Artimovich, to have Town Counsel move forward with legal action against Mr. Knowles. All voted in favor.
- Correspondence was received from NH Homeland Security & Emergency Management regarding the appointment of a local debris manager. The appointment notice had to be signed by the chair and returned in time for participation in a 3/8 conference call. Jeff came in and signed it on Friday. An email was sent to all members regarding this.
- Jim Johnson would like the Board's permission to publically apologize for his misinformation at the beginning of Town Meeting. The members agreed that it is not their meeting, it is the taxpayer's meeting presided by the moderator. Therefore this would not be their decision to make. They mentioned that there is always time at the end of Town Meeting for public comment.
- Artimovich and Bryan agreed to meet Julie at the school at 8:00 a.m. to assist with the audio equipment.
- Wayne Robinson, as debris manager, participated in a conference call on Monday, 3/8. He said there will be some paperwork coming regarding debris removal from individual properties. The Selectmen at that time can decide whether or not they want to offer this to residents. The Board will discuss this further when the paperwork is received.
- The Board would like to invite Chief Lemoine to next week's meeting so both sides can discuss any information they've gathered regarding annual fit for duty physicals.

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The following building permits were reviewed and signed by the Board:

- Jeff & Tina Mangarpan of 86 Mohawk Lane to install an in ground swimming pool.
- Jeff Beane of 25 Commercial Drive to alter Building A, Unit 4 by separating it into 2 units.

The Selectmen signed a letter to Harriet Cady requesting that any correspondence with Town Counsel be directed through them.

Ms. Cady has asked that the Selectmen respond to a letter that was sent to them and the Firemen's Association on 2/9/2010 regarding Mr. Musso's inability to remove all of his items from the Firemen's parcel until the ground thaws. Byrne said her response to that would be that he is in violation and we are not going to lift that violation and we are not empowered to. The Selectmen reviewed a letter of response that has been drafted. Byrne commented that it is her recollection that Town Counsel said we should take action with Musso as he was the violator. Bruce Stevens, Planning Board chairman who was in attendance, commented that he is not the landowner so no action should be taken against him. Byrne said she was sure that Town Counsel directed us to address this matter with Musso. Bruce Stevens reiterated that he's never heard of going after anyone but the property owner. Byrne agreed but would like some research done on what Town Counsel said. There were not minutes taken of the discussion with Town Counsel as it was a consultation, not a meeting. Artimovich and Menter commented that they were not at the consultation so they can not comment one way or the other on what was said.

Artimovich made a motion to run the letter by Town Counsel to see if it is appropriate. If it is determined to be appropriate, the Board members should be notified and they will come in and sign it. Menter seconded the motion; all voted in favor.

Bruce Stevens was in to ask the Selectmen to review and approve a proposed amendment to Article #13 regarding the acceptance of the Windsor Meadows roads. The condo association came to the Planning Board meeting last Thursday and has agreed to make the amendment and the Planning Board offered to draft it for them. They are just looking to have the Selectmen's approval as well. Byrne commented that the amendment leaves out liability with regards to utilities in the roadway. Kathy St. Hilaire, Planning Board secretary, responded that this type of information would be included in the deed. She continued that our lawyer would have to approve their deed and that's when you'd make sure it included everything you want addressed; the details would not all be included in the amendment. Byrne asked Bruce Stevens if the town votes to accept the road are we bound to accept it unconditionally, beyond the conditions stated in the amendment, such as bonding of any work to be done in the roadway after the Town takes possession of it. Bruce explained that if they wanted to do any digging in the public way they would have to come to the town to get a permit. At that time, they would post a bond like anyone would have to. Bruce added that they would have to meet all the regulations just like any town road in Brentwood has. Artimovich said he thinks the last line of the amendment sums it up by stating "any other related fees in accordance with Brentwood's Land Use Regulations". The Board was in agreement with the amendment.

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Kathy St. Hilaire was in on behalf of the Recreation Commission to ask for a waiver of a fee. Pop Warner Football, based out of Kingston, would like to use a portion of the recreation fields beginning August 1st for 5 days a week until school starts when they would reduce it to 2 days/week. The Recreation Commission has received a written recommendation from the Town of Kingston, where they've used fields in prior years, that they've worked very well with them and had no problems. The commission would like to give them the opportunity to use the fields at a reduced fee of \$1,000 for the season. It would cost them about \$3,100 if they paid full price for usage.

St. Hilaire said they haven't offered them this price yet as they wanted to run it by the Selectmen first. Bryan asked if they've considered the need for additional porta-lets. St. Hilaire said there are 3 on the site anyway so they think that will be enough. Byrne asked where they would be playing football. St. Hilaire said they really haven't decided that yet but they plan to rotate them around to different areas. Artimovich recommended a clause about any damage other than usual or customary and that they would be responsible for loaming and seeding. St. Hilaire said Kingston has sent a copy of their contract and they would incorporate a lot of that information into ours, including stipulations about field usage following times of heavy rain and positive EEE postings. Menter asked if there are any Brentwood kids participating. St. Hilaire said yes, there are 8. Byrne made a motion, seconded by Artimovich, to offer them a \$1,000 fee but would like to see the actual contract before being signed. All voted in favor.

At 7:20 p.m. a motion was made by Artimovich and seconded by Menter to adjourn. All voted in favor.

Respectfully submitted,

Julie Stevens